

Decision Record - Memorandum
DOI-BLM-NV-S010-2012-0062-EA
Restoration of Wilderness

Prepared by
U.S. Department of the Interior
Bureau of Land Management
Southern Nevada District Office
Las Vegas, Nevada

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Chapter 1. Restoration of Wilderness

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1.1. Compliance

The proposed action is in conformance with the Las Vegas Resource Management Plan (RMP), Red Rock Canyon National Conservation Area RMP, and Sloan Canyon National Conservation Area RMP. It is also in conformance with the Wilderness Management Plans (WMP) for the North McCullough, South McCullough, Muddy Mountains, Wee Thump Joshua Tree, Meadow Valley Range, and Mormon Mountains Wilderness areas. The proposed action is in compliance with the Wilderness Act, Federal Land Policy and Management Act, Migratory Bird Treaty Act, Endangered Species Act, and National Historic Preservation Act.

1.2. Selected Action

I have determined that the proposed action to restore existing and future disturbances in Wilderness as described in EA # DOI-BLM-NV-S010–2012–0062–EA, with the mitigation measures described in the Finding of No Significant Impact (FONSI) (incorporated herein) will not have any significant detrimental affects on the human environment, and thus does not require the preparation of an Environmental Impact Statement. The proposed action as described in EA# DOI-BLM-NV-S010–2012–0062–EA, in its entirety, is selected and approved.

1.3. Compliance with NEPA:

The proposed action was analyzed in Environmental Assessment # DOI-BLM-NV-S010–2012–0062–EA and it was determined that there would be no significant impact as referenced in the FONSI.

1.4. Public Involvement:

External scoping was performed by mailing a Notice of Proposed Action (NOPA) to individuals and organizations that have expressed an interest in recreation/wilderness related actions. Those receiving the NOPA had 30 days to provide comment on the proposed action. No issues were identified by the public during this process. The proposed action was also scoped internally through BLM resource specialists.

1.5. Rationale:

The proposed action was selected because it meets the purpose and need outlined in the EA. It conforms with and will help to successfully meet the goals of the RMPs and WMPs mentioned in Section 1.1. The proposed action does not result in any undue or unnecessary environmental degradation. Additionally, analysis from the EA shows that the proposed action will have a positive impact on wilderness values, native vegetation communities, and wildlife. The No Action Alternative would result in further degradation of wilderness values and habitat.

1.6. Appeal or Protest Opportunities:

This decision may be appealed to the Interior Board of Land Appeals (IBLA), Office of the Secretary, in accordance with the regulations contained in 43 CFR Part 4 and Form 1842–1. If an

appeal is taken, your notice of appeal must be filed in this office within 30 days of the decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 2801.10 or 43 CFR 2881.10, for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by IBLA, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the IBLA and the appropriate office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof in demonstrating that a stay should be granted.

Standards for obtaining a stay

Except as otherwise provided for by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied.
2. The likelihood of the appellant's success on the merits.
3. The likelihood of immediate and irreparable harm if the stay is not granted, and
4. Whether the public interest favors granting a stay.

1.7. Authorizing Official:

(signature on file) 7/18/2012

Mary Jo Rugwell
Manager, Southern Nevada District Office

Date

1.8. Contact Person

For additional information concerning this Finding, contact.

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